

***A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS  
WAS HELD JUNE 16, 2003 AT 1:00 P.M. IN WARRENTON, VIRGINIA***

P R E S E N T        Mr. Harry F. Atherton, Chairman; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks; Mr. G. Robert Lee, County Administrator; Mr. Paul S. McCulla, County Attorney

A B S E N T        Mr. Joe Winkelmann, Vice-Chairman

**AGENDA REVIEW**

Mr. Atherton stated that Ms. McCamy was attending a Library of Virginia Board meeting in Richmond, and was expected to arrive later in the day. Mr. Atherton announced that Mr. Winkelmann would be unable to attend the meeting due to his hospitalization, as a result of a recent heart attack. The Board of Supervisors reviewed the agenda.

**DISCUSSION OF THE PROPOSED POLICY FOR THE FUND BALANCE REQUIREMENT AND GENERAL OPERATING FUND**

Janice Bourne, Director of Finance, reviewed a proposed policy for the Fund Balance requirement and General Operating Fund.

**REVIEW PROPOSED CHANGES TO THE ZONING ORDINANCE AND FAUQUIER COUNTY CODE REGARDING THE PROVISION OF SANITARY WATER AND SEWER WITHIN SERVICE DISTRICTS**

Paul McCulla, County Attorney, reviewed proposed changes to the Zoning Ordinance and Fauquier County Code regarding the provision of sanitary water and sewer within Service Districts.

**LEGISLATIVE PROPOSALS FOR THE 2004 GENERAL ASSEMBLY**

Randy Wheeler, Deputy County Administrator, indicated there were no significant changes to the Board of Supervisors' Legislative Proposals for the 2004 General Assembly.

**COURTHOUSE IMPROVEMENTS**

Jay Moore, AIA, of Moseley Architect Group, reviewed pre-schematic conceptual plans for proposed improvements to the Circuit Court and Office Building.

The meeting was reconvened in Regular Session at 6:30 p.m. at Warrenton Community Center.

**ADOPTION OF THE AGENDA**

Mr. Atherton moved to adopt the agenda items with the following changes. Mr. Weeks seconded, and the vote for the motion was 4 to 0 as follows:

**Ayes:** *Mr. Harry F. Atherton; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks*  
**Nays:** *None*  
**Absent During Vote:** *Mr. Joe Winkelmann*  
**Abstention:** *None*

- Remove consent agenda item c, Referral of Proposed Entrance Corridor Overlay Ordinance to the Planning Commission for Consideration, and renumber subsequent agenda items accordingly.
- Add consent agenda item i, A Resolution to Authorize the Purchase of an Acre of Land.
- Remove regular agenda item #8, A Resolution to Allocate Economic Opportunity Funds.

### **CITIZENS TIME**

No one spoke.

### **PROCLAMATIONS AND RECOGNITIONS**

- Mr. Atherton presented to Harry Richmond A Proclamation to Designate June 28-29, 2003 as Amateur Radio Weekend in Fauquier County.
- Mr. Graham presented to Jeanne Blackwell A Proclamation to Recognize Jeanne Blackwell for Her Service to the Disability Services Board.

### **CONSENT AGENDA**

Ms. McCamy moved to adopt the following consent agenda items. Mr. Graham seconded, and the vote for the motion was 4 to 0 as follows:

**Ayes:** *Mr. Harry F. Atherton; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks*  
**Nays:** *None*  
**Absent During Vote:** *Mr. Joe Winkelmann*  
**Abstention:** *None*

### **Approval of the Minutes for the May 19, 2003 Regular Meeting and June 9, 2003 Adjourned Meeting of the Fauquier County Board of Supervisors**

**A Resolution to Accept the 2002-2003 Disability Services Board Needs Assessment Report**

RESOLUTION

A RESOLUTION TO ENDORSE THE 2002-2003 NEEDS ASSESSMENT REPORT AS  
CONDUCTED AND DEVELOPED BY THE FAUQUIER COUNTY DISABILITY  
SERVICES BOARD

WHEREAS, the Code of Virginia mandates that local Disability Services Boards conduct and develop a Needs Assessment Report every two years to identify and address the needs and priorities of citizens with physical and/or sensory disabilities in Fauquier County, and to file this Report with the Department of Rehabilitative Services of the Commonwealth of Virginia; and

WHEREAS, the Fauquier County Disability Services Board has conducted and developed the 2002-2003 Needs Assessment Report, as mandated, and on May 14, 2003, unanimously endorsed said Report; and

WHEREAS, the Fauquier County Disability Services Board now requests that the Fauquier County Board of Supervisors endorse the 2002-2003 Needs Assessment Report and direct that said Report be filed with the Department of Rehabilitative Services of the Commonwealth of Virginia; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 16th day of June 2003, That the 2002-2003 Needs Assessment Report be, and is hereby, endorsed, and shall be filed with the Department of Rehabilitative Services of the Commonwealth of Virginia; and, be it

RESOLVED FURTHER, That the Fauquier County Disability Services Board distribute copies of the 2002-2003 Needs Assessment Report to the public libraries and other public organizations for use by citizens of Fauquier County; and, be it

RESOLVED FINALLY, That by endorsing the 2002-2003 Needs Assessment Report, the Fauquier County Board of Supervisors adopts the Report as the official document to recognize and prioritize the needs of citizens with physical and/or sensory disabilities.

**Consider Preliminary Subdivision Application (PP03-M-11) – Fenny Hill Subdivision**

No action was taken.

**Consider Preliminary Subdivision Plat Application (PP03-CR-27) – Perkins Subdivision**

No action was taken.

**A Resolution to Request the Virginia Department of Transportation Residential Traffic Calming Program for Fauquier County**

RESOLUTION

A RESOLUTION TO REQUEST THE VIRGINIA DEPARTMENT OF TRANSPORTATION  
RESIDENTIAL TRAFFIC CALMING PROGRAM FOR FAUQUIER COUNTY

WHEREAS, the Virginia Department of Transportation (VDOT) has a Residential Traffic Calming Program to provide communities a traffic management tool dealing specifically with speeding in residential neighborhoods; and

WHEREAS, residents of Fauquier County make requests to the County for traffic calming measures to help control speeding in their residential subdivisions; and

WHEREAS, the Virginia Department of Transportation requires that the Board of Supervisors adopt a resolution requesting that the VDOT Residential Traffic Calming Program be available to the County; and

WHEREAS, the Virginia Department of Transportation Traffic Calming Program stipulates that the County take the lead role in the traffic calming process pursuant to the VDOT *Traffic Calming Guide For Local Residential Streets*; and

WHEREAS, on May 28, 2003, the Fauquier County Transportation Committee approved a motion recommending that the Board of Supervisors make a request that the VDOT Traffic Calming Program be available to Fauquier County; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 16<sup>th</sup> day of June 2003, That the Board of Supervisors does hereby request that the Virginia Department of Transportation make the Residential Traffic Calming Program available to Fauquier County; and, be it

RESOLVED FURTHER, That the Board of Supervisors does hereby request, pursuant to Section VI. A. of the *Traffic Calming Guide for Local Residential Streets*, that Fauquier County include the use of All Way Stop Control (AWSC) as a traffic calming measure; and, be it

RESOLVED FINALLY, That the Board of Supervisors does hereby authorize the County Administrator, or his designee, to be the County's coordinator for traffic calming.

**A Resolution Approving an Exception for Travel Expenses in Accordance With Travel Policy and Procedures**

RESOLUTION

A RESOLUTION APPROVING AN EXCEPTION FOR TRAVEL EXPENSES  
IN ACCORDANCE WITH TRAVEL POLICY AND PROCEDURES

WHEREAS, the Fauquier County Board of Supervisors has adopted Travel Policy and Procedures that require approval of expenditures in excess of \$1,000; and

WHEREAS, the Purchasing Agent is requesting to attend a conference and training session that entail a total cost estimated to be \$1,550; and

WHEREAS, this conference offers sessions that are highly pertinent to the County's procurement function; and the Purchasing Agent will bring back what she learns and use it to enhance the procurement process and to train procurement staff; and

WHEREAS, the training will allow the Purchasing Agent to maintain certification as a Certified Public Purchasing Officer, Certified Professional Public Buyer, Virginia Contracting Officer and Virginia Construction Contracting Officer and keep abreast of public procurement issues and trends; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 16<sup>th</sup> day of June 2003, That reimbursement in the amount of approximately \$1,550 for training and travel for the Purchasing Agent be, and is hereby, approved.

**A Resolution to Amend the Contract of the Volunteer Fire and Rescue Association's Length of Service Awards Program**

RESOLUTION

A RESOLUTION TO AMEND THE CONTRACT OF THE VOLUNTEER FIRE AND  
RESCUE ASSOCIATION'S LENGTH OF SERVICE AWARDS PROGRAM

WHEREAS, in March of 1995, the Fauquier County Board of Supervisors entered into a contract with Volunteer Firemen's Insurance Service to provided a Length of Service Awards Program (LOSAP) to the Volunteer Fire and Rescue Association; and

WHEREAS, during the FY03 budget process, the Volunteer Fire and Rescue Association voted to amend the LOSAP contract for the purposes of distributing more funds towards their Capital Improvements Program; and

WHEREAS, this amendment will maintain all accrued annuities for those volunteers who were vested in the program as of January 1, 2002; and

WHEREAS, this amendment will continue the originally contracted life insurance benefit to all Volunteer Fire and Rescue Association members; and

WHEREAS, Volunteer Fire and Rescue personnel who were not vested as of January 1, 2002, will no longer be eligible to accrue annuity benefits; and

WHEREAS, this amendment establishes a LOSAP liability payoff date of approximately 2012; and

WHEREAS, on May 21, 2003, the Fauquier County Public Safety Committee endorsed this amendment; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 16<sup>th</sup> day of June 2003, That the Volunteer Fire and Rescue Association's Length of Service Awards Program contract be, and is hereby, amended.

**A Resolution to Authorize the Purchase of an Acre of Land**

RESOLUTION

A RESOLUTION TO AUTHORIZE THE PURCHASE OF AN ACRE OF LAND

WHEREAS, the Board of Supervisors has determined that it is appropriate to acquire a parcel of land in the vicinity of Ensor's Shop Road to construct a tower for the County Emergency Radio System; and

WHEREAS, on February 24, 2003, the Board authorized the purchase of three (3) acres, and it was subsequently determined that the purchase of an additional acre is required; and

WHEREAS, the Glatfelter Pulp Wood Company has agreed to convey an additional acre, more or less, in conjunction with the contract approved on February 24, 2003; and

WHEREAS, the Board of Supervisors has determined that the proposed purchase of the additional acre is acceptable; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 16<sup>th</sup> day of June 2003, That the Chairman of the Board of Supervisors be, and is hereby, authorized to accept the additional acreage in conjunction with the purchase of the Glatfelter parcel.

**A RESOLUTION TO DIRECT THE COUNTY ADMINISTRATOR TO SCHEDULE A PUBLIC HEARING ON A PROPOSED AMENDMENT TO SECTION 16-7 OF THE FAUQUIER COUNTY CODE TO PERMIT THE CARRYING OF CONCEALED WEAPONS IN PUBLIC PARKS**

Mr. Atherton moved to adopt the following resolution. Mr. Graham seconded, and the vote for the motion was 4 to 0 as follows:

**Ayes:** *Mr. Harry F. Atherton; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks*  
**Nays:** *None*  
**Absent During Vote:** *Mr. Joe Winkelmann*  
**Abstention:** *None*

**RESOLUTION**

**A RESOLUTION DIRECTING THE COUNTY ADMINISTRATOR TO SCHEDULE A PUBLIC HEARING ON A PROPOSED AMENDMENT TO SECTION 16-7 OF THE FAUQUIER COUNTY CODE TO PERMIT THE CARRYING OF CONCEALED WEAPONS IN PUBLIC PARKS**

WHEREAS, the Fauquier County Ordinance currently prohibits the carrying of weapons, including concealed weapons, in public parks located within the County; and

WHEREAS, the Board of Supervisors has determined it to be in the best interest of Fauquier County citizens to permit persons holding a valid concealed weapons permit to carry a concealed weapon in any public park located within Fauquier County; and

WHEREAS, the Board of Supervisors wishes to hold a public hearing to receive citizens' comments on its proposed amendment to the County Code; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 16<sup>th</sup> day of June 2003, That the County Administrator be, and is hereby, directed to schedule a public hearing on a proposed amendment to Section 16-7 of the Fauquier County Code to permit the carrying of concealed weapons while in public parks.

**A RESOLUTION INITIATING A PROPOSED AMENDMENT TO ARTICLE 4 OF THE FAUQUIER ZONING ORDINANCE TO ADD PART 8 ENTITLED "AQUIFER PROTECTION OVERLAY DISTRICT" AND REFERRING SAID AMENDMENT TO THE PLANNING COMMISSION FOR ITS REVIEW, COMMENT AND RECOMMENDATION**

Mr. Atherton moved to postpone action on A Resolution Initiating a Proposed Amendment to Article 4 of the Fauquier Zoning Ordinance to Add Part 8 Entitled "Aquifer Protection Overlay District" and Referring Said Amendment to the Planning Commission for Its Review, Comment and Recommendation, until the next regular meeting on July 21, 2003. Mr. Weeks seconded, and the vote for the motion was 4 to 0 as follows:

*Ayes:* **Mr. Harry F. Atherton; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks**  
*Nays:* **None**  
*Absent During Vote:* **Mr. Joe Winkelmann**  
*Abstention:* **None**

**A RESOLUTION INITIATING A PROPOSED AMENDMENT TO ARTICLE 4 OF THE FAUQUIER ZONING ORDINANCE TO ADD PART 9 ENTITLED “WATERSHED MANAGEMENT AND PROTECTION AREA OVERLAY DISTRICT” AND REFERRING SAID AMENDMENT TO THE PLANNING COMMISSION FOR ITS REVIEW, COMMENT AND RECOMMENDATION**

Mr. Atherton moved to postpone action on A Resolution Initiating a Proposed Amendment to Article 4 of the Fauquier Zoning Ordinance to Add Part 9 Entitled “Watershed Management and Protection Area Overlay District” and Referring Said Amendment to the Planning Commission for its Review, Comment and Recommendation, until the next regular meeting on July 21, 2003. Mr. Weeks seconded, and the vote for the motion was 4 to 0 as follows:

*Ayes:* **Mr. Harry F. Atherton; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks**  
*Nays:* **None**  
*Absent During Vote:* **Mr. Joe Winkelmann**  
*Abstention:* **None**

**A RESOLUTION REFERRING TO THE PLANNING COMMISSION FOR REVIEW, COMMENT AND RECOMMENDATION, PROPOSED CHANGES TO SECTIONS 2-503, 3-330, 3-331, 7-501, 7-502, 7-503, 12-501, 12-612.5, 12-612.6, OF THE FAUQUIER COUNTY ZONING ORDINANCE, AND SECTIONS 17-5 AND 19-18 OF THE FAUQUIER COUNTY CODE RELATING TO THE PROVISION OF SANITARY WATER AND SEWER WITHIN SERVICE DISTRICTS**

Mr. Atherton moved to postpone action on A Resolution Referring to the Planning Commission for Review, Comment and Recommendation, Proposed Changes to Sections 2-503, 3-330, 3-331, 7-501, 7-502, 7-503, 12-501, 12-612.5, 12-612.6, of the Fauquier County Zoning Ordinance, and Sections 17-5 and 19-18 of the Fauquier County Code Relating to the Provision of Sanitary Water and Sewer Within Service Districts, until the next regular meeting on July 21, 2003. Mr. Weeks seconded, and the vote for the motion was 4 to 0 as follows:

*Ayes:* **Mr. Harry F. Atherton; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks**  
*Nays:* **None**  
*Absent During Vote:* **Mr. Joe Winkelmann**  
*Abstention:* **None**



**A RESOLUTION INITIATING PROPOSED AMENDMENTS TO THE FAUQUIER COUNTY ZONING AND SUBDIVISION ORDINANCES TO RESTRICT USE OF MULTIPLE USER SEWAGE DISPOSAL SYSTEMS TO SERVICE DISTRICTS AND TO PERMIT ONLY PUBLIC SEWER IN SERVICE DISTRICTS EXCEPT WITH A SPECIAL EXCEPTION**

Mr. Weeks moved to adopt the following resolution. Ms. McCamy seconded, and the vote for the motion was 4 to 0 as follows:

**Ayes:** *Mr. Harry F. Atherton; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks*  
**Nays:** *None*  
**Absent During Vote:** *Mr. Joe Winkelmann*  
**Abstention:** *None*

**RESOLUTION**

**A RESOLUTION INITIATING PROPOSED AMENDMENTS TO THE FAUQUIER COUNTY ZONING AND SUBDIVISION ORDINANCES TO RESTRICT USE OF MULTIPLE USER SEWAGE DISPOSAL SYSTEMS TO SERVICE DISTRICTS AND TO PERMIT ONLY PUBLIC SEWER IN SERVICE DISTRICTS EXCEPT WITH A SPECIAL EXCEPTION**

WHEREAS, the Fauquier County Zoning and Subdivision Ordinances currently permit, and in some instances require, multi-user sewage disposal systems outside of the service districts; and

WHEREAS, the Fauquier County Board of Supervisors wishes to consider the adoption of a proposed ordinance amending the Zoning Ordinance and Subdivision Ordinance to restrict the use of multiple user sewage disposal systems to properties located in a service district, and to permit only public sewer in service districts, except with special exception; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 16 day of June 2003, That the hereinafter set forth proposed Ordinance amending the Fauquier County Zoning and Subdivision Ordinances to restrict use of multiple user sewage disposal systems to service districts, and to permit only public sewer in service districts, except with a special exception, be, and is hereby, in conformance with Section 13-205 of the Fauquier County Zoning Ordinance, initiated by the Board of Supervisors and referred to the Planning Commission for its review, comment and recommendation.

**ORDINANCE**

**AN ORDINANCE TO AMEND CERTAIN SECTIONS OF THE FAUQUIER COUNTY ZONING AND SUBDIVISION ORDINANCES TO RESTRICT USE OF MULTIPLE USER SEWAGE DISPOSAL SYSTEMS TO SERVICE DISTRICTS AND TO PERMIT ONLY PUBLIC SEWER IN SERVICE DISTRICTS EXCEPT WITH A SPECIAL EXCEPTION**

WHEREAS, the Zoning and Subdivision Ordinances currently permit non-public sewer systems in service districts; and

WHEREAS, the Zoning and Subdivision Ordinances currently permit public and multiple user sewer systems outside of service districts; and

WHEREAS, the Board of Supervisors wishes to restrict public and multiple user sewer systems to service districts only; and

WHEREAS, the Board of Supervisors wishes to require the use of only public sewer systems in service districts; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this \_\_\_\_ day of \_\_\_\_\_ 2003, That

A. The Fauquier County Zoning Ordinance be, and is hereby, amended to read as follows:

Section 5-2002. 6 is deleted.

Section 7-502 Public Sewer Requirements

1. Public sewer shall be required for all lots and dwelling units located in any service district in which public sewer is available, provided that public sewer is not required:
  - a) within the Catlett, Calverton and Midland Service Districts; or
  - b) in any area of a service district designated as a non-sewered growth area in the Comprehensive Plan; or
  - c) in any area where the requirement for public sewer system has been removed by special exception pursuant to Section 3-330 and the general and specific standards contained in Article 5 of this Zoning Ordinance.
2. Public and private sewer systems shall not be permitted outside of any service district. For purposes of this subsection the term "sewer system" shall be defined as any sewage disposal system serving two or more lots or dwelling units. Notwithstanding any other provision of this subsection to the contrary multiple use sewage disposal systems may be authorized outside of service district pursuant to Section 3-320 and the general and specific standards contained in Article 5 of this Zoning Ordinance when necessary to remediate a failed drainfield serving an existing use, which has been certified by the Virginia Health Department to pose a real or potential health threat and a multiple use system is the only alternative for repair.

; and

B. Subsection 4-11.2)A) of the Fauquier County Subdivision Ordinance be, and is hereby, amended as follows:

Section 4-11 Sanitary Sewer and Water

2) Additional Requirements-Service Districts

A) Sewer shall be required in service districts as set forth in Section 7-502 of the Fauquier County Zoning Ordinance.

**A RESOLUTION TO ESTABLISH THE BOARD OF SUPERVISORS' LEGISLATIVE PROPOSALS FOR THE 2004 GENERAL ASSEMBLY**

Mr. Atherton moved to adopt the following resolution. Mr. Graham seconded, and the vote for the motion was 4 to 0 as follows:

*Ayes: Mr. Harry F. Atherton; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks*  
*Nays: None*  
*Absent During Vote: Mr. Joe Winkelmann*  
*Abstention: None*

RESOLUTION

A RESOLUTION TO AMEND THE BOARD OF SUPERVISORS'  
LEGISLATIVE PROPOSALS FOR THE 2004 GENERAL ASSEMBLY

WHEREAS, Fauquier County has a variety of issues and interests which require legislative action by the Virginia General Assembly; and

WHEREAS, the Virginia Association of Counties (VACo) has requested submission of such legislative proposals for consideration in the 2004 VACo Legislative Program; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 16th day of June 2003, That the Board of Supervisors' 2004 Legislative Program be, and is hereby, amended as follows:

**LEGISLATIVE PRIORITIES:**

- **Adequate Public Facilities** - Fauquier County supports Adequate Public Facilities legislation, which would permit high growth localities, as part of their subdivision or zoning ordinance, to determine whether public facilities are adequate to support the services which will be required by the proposed subdivision or rezoning.
- **Impact Fees** - Fauquier County continues to support legislation that would allow localities the option to assess impact fees for School Construction and other essential government services in lieu of voluntary cash proffers.
- **School Funding** - Fauquier County supports the full funding of the State's share of the Standards of Quality, full funding of any categorical educational mandate,

including pay raises, and full funding of the State's portion of the Standards of Learning relating to instructional technology. Fauquier County also supports increased funding for School Construction.

- **Cost of Competing** - Fauquier County respectfully requests those State legislators representing Fauquier County introduce legislation to incorporate Fauquier County into the Cost of Competing School Funding Formula.
- **Local Revenue Authority**: Fauquier County opposes any measure that would eliminate or reduce any local government revenue authority.
- **Local Government Zoning and Land Use Authority** - Fauquier County opposes any further dilution of the zoning and land use regulatory authority of local governments.
- **Revenue Sharing** - Fauquier County strongly supports any legislative proposal that results in the State sharing a portion of its income tax revenues (within its existing rate structure) with localities, and which provides local flexibility in determining how it should be used.
- **Increased Local Authority** - Fauquier County supports legislation to provide for increased local authority in planning, zoning and revenue matters through a statutory relaxation of the Dillon Rule. However, the relaxation of the Dillon Rule should not be accompanied by a shift of responsibility for various programs from the State government to local government.
- **Purchase of Development Rights** - Fauquier County supports increased State funding for the purchase of conservation easements and other land conservation needs.
- **Transfer Tax** - Fauquier County supports legislation that would enable counties and cities, through local option, to enact a real estate transfer tax.
- **Land Use Taxation** - Fauquier County supports legislation that would lengthen the Use Value Taxation roll-back period to at least ten years.
- **Affordable Housing** - The Board of Supervisors respectfully requests the State legislators representing Fauquier County introduce legislation to include Fauquier under the provisions of Section 15.2304 of the Code of Virginia, which would enable Fauquier County to require affordable housing.
- **Water Resources Planning** - Fauquier County supports a comprehensive study of the Commonwealth's surface and groundwater resources.
- **Land Use Taxation** - Fauquier County supports legislation, which would allow local governments the option of excluding commercial, industrial, and/or residentially zoned properties from the Land Use Taxation Program. Fauquier County further

supports the local option to exclude properties within designated service districts as may be contained within a locality's Comprehensive Plan.

**A RESOLUTION TO ENDORSE THE TEA-21 GRANT APPLICATION OF PRINCE WILLIAM COUNTY FOR THE STABILIZATION OF THE BEVERLEY MILL**

Mr. Weeks moved to adopt the following resolution. Ms. McCamy seconded, and the vote for the motion was 4 to 0 as follows:

*Ayes: Mr. Harry F. Atherton; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks*  
*Nays: None*  
*Absent During Vote: Mr. Joe Winkelmann*  
*Abstention: None*

**RESOLUTION**

**A RESOLUTION TO ENDORSE THE TEA-21 GRANT APPLICATION OF PRINCE WILLIAM COUNTY FOR THE STABILIZATION OF THE BEVERLEY MILL**

WHEREAS, the historic Beverley Mill, located along Fauquier County's border with Prince William County, is an important local historical resource which is in need of significant renovation and repair following a structure fire; and

WHEREAS, the Turn The Mill Around Committee (TTMAC) has worked closely with Prince William County to prepare a TEA-21 grant application for the stabilization of the Beverley Mill; and

WHEREAS, the Fauquier County Board of Supervisors is supportive of the efforts of Prince William County and the Turn The Mill Around Committee to stabilize the Beverley Mill; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 16<sup>th</sup> day of June 2003, That the Board of Supervisors does hereby endorse the application by Prince William County for TEA-21 grant funding for the Beverley Mill.

**APPOINTMENTS**

By unanimous consent, the following appointment were approved:

- Water & Sanitation Authority Board – Cedar Run District, Raymond E. Graham, with a term to expire June 30, 2007.
- Water & Sanitation Authority Board – Scott District, Larry L. Weeks, effective December 1, 2003, with a term to expire June 30, 2007.

- Department of Social Services Board – Marshall District, Sanford Aubin, reappointed, with a term to expire June 30, 2007.
- Department of Social Services Board – At Large, J. Randall Wheeler, reappointed, with a term to expire June 30, 2007.
- Transportation Committee – Scott District, Gary Nelson, to fill an unexpired term ending December 31, 2003.

### **SUPERVISORS' TIME**

The Board members made no remarks.

### **ANNOUNCEMENTS**

Mr. Lee had no announcements.

### **A RESOLUTION TO AMEND THE FY 2003 ADOPTED BUDGET IN THE AMOUNT OF \$1,214,329.87 AND THE FY 2004 ADOPTED BUDGET IN THE AMOUNT OF \$68,568**

A public hearing was held to consider the various budget related issues in the amount of \$731,667 in appropriations and \$482,662.87 in transfers for FY 2003 and \$68,568 in appropriations for FY 2004, totaling \$1,282,897.87. No one spoke. The public hearing was closed. Mr. Graham moved to adopt the following resolution. Ms. McCamy seconded, and the vote for the motion was 4 to 0 as follows:

<b><i>Ayes:</i></b>	<b><i>Mr. Harry F. Atherton; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks</i></b>
<b><i>Nays:</i></b>	<b><i>None</i></b>
<b><i>Absent During Vote:</i></b>	<b><i>Mr. Joe Winkelmann</i></b>
<b><i>Abstention:</i></b>	<b><i>None</i></b>

### **RESOLUTION**

### **A RESOLUTION TO AMEND THE FY 2003 ADOPTED BUDGET IN THE AMOUNT OF \$1,214,329.87 AND THE FY 2004 ADOPTED BUDGET IN THE AMOUNT OF \$68,568**

WHEREAS, the Board of Supervisors is charged by the Code of Virginia with the preparation of an annual budget for Fauquier County; and

WHEREAS, on March 25, 2002, the Fauquier County Board of Supervisors adopted the Fauquier County FY 2003 Budget and on March 25, 2003, the Fauquier County Board of Supervisors adopted the Fauquier County FY 2004 Budget; and

WHEREAS, during the course of the fiscal year certain events occur which necessitate changing the budget plan by increasing or decreasing the total budget; and

WHEREAS, the Finance Committee has recommended FY 2003 budget adjustments of \$1,214,329.87 and FY 2004 budget adjustments of \$68,568 for the purposes set forth below; and

WHEREAS, on June 16, 2003, a public hearing was held; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 16th day of June 2003, That the FY 2003 Budget be, and is hereby, amended in the amount of \$731,667 in appropriations and \$482,662.87 in transfers, and the FY 2004 Budget be, and is hereby, amended in the amount of \$68,568 in appropriations, totaling \$1,282,897.87 as follows:

Source	FROM Code	Amount	Department	TO Code	Amount
<b><u>FY 2003</u></b>					
Insurance	3-100-411000-0010	\$5,115	Sheriff's Office	4-100-031200-3311	\$5,115
Federal Funds	3-100-331000-0070	\$10,472	Sheriff's Office	4-100-031200-1201	\$10,472
Local Funds	3-100-192000-0050	\$11,411	Sheriff's Office	4-100-031200-1103	\$11,411
Local Fees	3-100-160100-0002	\$150,838	Clerk of Circuit Court	4-302-94107-6025-000-000-010	\$150,838
Fire & Emergency Services Fund Balance	3-270-419000-0010	\$87,657	Fire & Emergency Services	4-271-34100-8100 4-271-34100-8200	\$77,157 \$10,500
Utility Fund	4-310-044310-8215	\$400,000	Fauquier Housing (County Administration)	4-100-081600-5656	\$400,000
Federal Funds	3-100-331000-0061	\$26,174	Fire & Emergency Services	4-270-32420-6041	\$26,174
Contingency Reserve	4-100-091400-9618	\$40,000	Mosby House Contribution	4-100-081600-5640	\$40,000
General Fund (Transfer)	4-100-051100-5610	\$3,500	Fauquier Community Theater	4-100-081600-5640	\$3,500
Transfer	4-302-80205-3161	\$6,350.91	Capital Improvements	4-302-94107-6025-000-000-010	\$39,162.87
Capital Improvements	4-302-80205-8200	\$32,811.96			
Transfer	4-310-099999-9999	\$440,000	Airport Sewer	4-310-81722-8310	\$440,000
Utility Fund					
<b><u>FY 2004</u></b>					
Local Fees	3-100-133000-0062	\$60,000	Community	4-100-081200-1101	\$51,266
	3-100-133000-0066	\$8,568	Development	4-100-081200-2100	\$3,922
				4-100-081200-2210	\$4,665
				4-100-081200-2310	\$3,564
				4-100-081200-2400	\$451
				4-100-081200-6047	\$3,200
				4-100-081200-6050	\$1,500
TOTAL		\$1,282,897.87			\$1,282,897.87

**CONSIDER A PROPOSED RESOLUTION AUTHORIZING THE SUBMISSION OF A TEA-21 GRANT APPLICATION FOR IMPROVEMENTS TO THE BEALETON DEPOT**

A public hearing was held to consider authorizing a TEA-21 grant application to seek Federal funds to renovate the historic Depot that will serve as a support facility to the new Bealeton Branch Library. Barbara Severin, Chairman of the Fauquier County Library Board of Trustees, spoke in favor of the TEA-21 grant application. No one else spoke. The public hearing was closed. Ms. McCamy moved to adopt the following resolution. Mr. Graham seconded, and the vote for the motion was 4 to 0 as follows:

*Ayes: Mr. Harry F. Atherton; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks*  
*Nays: None*  
*Absent During Vote: Mr. Joe Winkelmann*  
*Abstention: None*

**RESOLUTION**

**A RESOLUTION TO ENDORSE THE APPLICATION TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR THE BEALETON STATION DEPOT REHABILITATION PROJECT**

WHEREAS, on June 16, 2003, the Fauquier County Board of Supervisors held a public hearing to receive public input regarding an application to the Virginia Department of Transportation for Transportation Enhancement (TEA-21) funding for the completion of restoration of the Bealeton Station Depot; and

WHEREAS, the Fauquier County Board of Supervisors wishes to endorse the application for this transportation enhancement project; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 16th day of June 2003, That the Board of Supervisors does hereby endorse the application to the Virginia Department of Transportation for the Bealeton Station Depot Rehabilitation Project; and, be it

RESOLVED FURTHER, That the County Administrator be, and is hereby, authorized to submit the grant application for restoration of the Bealeton Station Depot.

**CONSIDER A PROPOSED ORDINANCE AMENDING CHAPTER 8 OF THE FAUQUIER COUNTY CODE TO ADD ARTICLE XVI ENTITLED "PROPERTY EXEMPTED FROM TAXATION"**

A public hearing was held to consider amending Chapter 8 of the Fauquier County Code to add Article XVI, entitled *Property Exempt from Taxation*. Paul McCulla, County Attorney, gave an overview of the proposed amendment. No one spoke. The public hearing was closed. Mr. Weeks moved to adopt the following Ordinance. Ms. McCamy seconded, and the vote for the motion was 4 to 0 as follows:



*Ayes:* **Mr. Harry F. Atherton; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks**  
*Nays:* **None**  
*Absent During Vote:* **Mr. Joe Winkelmann**  
*Abstention:* **None**

## ORDINANCE

### AN ORDINANCE AMENDING CHAPTER 8 OF THE CODE OF FAUQUIER COUNTY TO ADD ARTICLE XVI ENTITLED “PROPERTY EXEMPT FROM TAXATION”

WHEREAS, prior to January 1, 2003, determinations of whether property was exempted from taxation by classification or designation were made by the Virginia General Assembly, after recommendation by the governing body wherein the property was located; and

WHEREAS, on January 1, 2003, the General Assembly, by adoption of Virginia Code §58.1-3651, delegated the authority to determine whether real and/or personal property would be exempt from taxation by classification or designation to local governing bodies; and

WHEREAS, Chapter 8 of the Fauquier County Code requires amendment to add Article XVI entitled Property Exempt From Taxation; and

WHEREAS, after due notice and public hearing, the Board of Supervisors has determined it to be in the best interest of the citizens of Fauquier County to amend Chapter 8 of the Code of Fauquier County to add Article XVI related to properties exempt from taxation; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 16th day of June 2003, That Chapter 8 of the Code of Fauquier County be, and is hereby, amended to add Article XVI entitled “Property Exempt From Taxation”, to read as follows:

### ARTICLE XVI PROPERTY EXEMPT FROM TAXATION

#### Section 8-53.

A. Property exempt from taxation, real and/or personal property of an organization hereinafter designated by this Section within this Article and used by such organizations exclusively for a religious, charitable, patriotic, historical, benevolent, cultural or public park and playground purposes set forth in Article X, Section 6(a)(6) of the Constitution of Virginia, the particular purpose for which such section is classified as being specifically set forth within a section, shall be exempt from taxation so long as such organization is operated not for profit and the property so exempt is used in accordance with the purpose for which the

organization is classified. In addition, such exemption may be revoked in accordance with the provisions of Virginia Code § 58.1-3605.

B. Exemptions of property from taxation under this Article should be strictly construed in accordance with the provisions of Article X, Section 6(f) of the Constitution of Virginia.

C. The following properties have been designated as tax exempt by the Virginia General Assembly:

<b>Exempt Entity Assembly</b>	<b>Locality</b>	<b>Code Reference</b>	<b>Acts of the</b>
Blue Ridge Christian Home, Inc	Fauquier County	58.1-3650.580	(1994, c. 380)
F.O.R.E., Inc.,	Fauquier County	58.1-3650.169	(1984, c.529)
Family and Child Services of Washington, D.C., Inc.	Fauquier County	58.1-3650.673	(1996, c. 751)
Fauquier Habitat for Humanity, Inc.,	Fauquier County	58.1-3650.614	(1995, cc. 606, 618)
Fauquier Health Services Corporation,	Fauquier County	58.1-3650.310	(1988, c. 664)
Fauquier Hospital, Inc.,	Fauquier County	58.1-3650.191	(1985, c. 614)
Fauquier Temporary Family Shelter, Inc.,	Fauquier County	58.1-3650.529	(1993, c. 821)
Health Dynamics, Inc.,	Fauquier County	58.1-3650.309	(1988, c. 664)
Healthcare Development Corporation,	Fauquier County	58.1-3650.311	(1988, c. 664)
Meadow Outdoors Foundation, Inc.,	Fauquier County	58.1-3650.172	(1984, c.546.)
Remington Home, Inc.,	Fauquier County	58.1-3650.747	(1997, c. 373)
Save the Railroad Station, Inc.,	Fauquier County	58.1-3650.671	(1996, c. 751)

D. The following properties have been designated as tax exempt by the Board of Supervisors of Fauquier County:

*[This space is intentionally left blank.]*

**CONSIDER A PROPOSED AMENDMENT TO CHAPTER 17 OF THE FAUQUIER COUNTY CODE TO REQUIRE MAINTENANCE MONITORING SYSTEMS FOR CONVENTIONAL AND NON-CONVENTIONAL ALTERNATIVE SEWER AND SEPTIC SYSTEMS**

A public hearing was held to consider a proposed Ordinance to amend Chapter 17 of the Fauquier County Code to require installation of maintenance monitoring systems for sewer and septic systems. Rick Carr, Director of Community Development, summarized the proposed amendment. No one spoke. The public hearing was closed. Mr. Graham moved to postpone action until the next regular meeting on July 21, 2003. Ms. McCamy seconded, and the vote for the motion was 4 to 0 as follows:

<b>Ayes:</b>	<b><i>Mr. Harry F. Atherton; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks</i></b>
<b>Nays:</b>	<b><i>None</i></b>
<b>Absent During Vote:</b>	<b><i>Mr. Joe Winkelmann</i></b>
<b>Abstention:</b>	<b><i>None</i></b>

**AGRICULTURAL AND FORESTAL DISTRICT - 10TH ADDITION TO ORLEAN/HUME**

A public hearing was held to consider the 10<sup>th</sup> addition to the Orlean/Hume Agricultural and Forestal District for Andrew and Elizabeth Stone to add 28.14 acres, located at 5932 Lake Sunset Lane; and Ernest Robinson Heirs, by Felice R. Brooks to add 39.41 acres, located at 6480 Ernest Robinson Road; and Julian Kulski to add 17.139 acres, located off of Route 772, Warland Road, in Thumb Run Mountain Estates. Rick Carr, Director of Community Development, summarized the applications. No one spoke. The public hearing was closed. Mr. Atherton moved to adopt the following Ordinances. Mr. Weeks seconded, and the vote for the motion was 4 to 0 as follows:

**Ayes:** *Mr. Harry F. Atherton; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks*  
**Nays:** *None*  
**Absent During Vote:** *Mr. Joe Winkelmann*  
**Abstention:** *None*

**ORDINANCE**

**AN ORDINANCE TO APPROVE THE 10<sup>TH</sup> ADDITION TO THE  
ORLEAN/HUME AGRICULTURAL AND FORESTAL DISTRICT  
WITHIN FAUQUIER COUNTY**

WHEREAS, Section 15.2-4310, Code of Virginia (1950), as amended, allows additional parcels of land to be added to an existing district following the process described for the creation of a new district; and

WHEREAS, all requirements of Section 15.2-4310, Code of Virginia (1950), as amended, have been met; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 16<sup>th</sup> day of June 2003, that the 10<sup>th</sup> Addition to the Orlean/Hume Agricultural and Forestal District be, and is hereby, adopted as follows:

- 1) That this addition is land which requires conservation and protection for the production of food and other agricultural and forestal products and as such is a valuable natural and ecological resource providing open space and clean air and adequate safe water supplies and other aesthetic purposes and is, therefore, valuable to public interest.
- 2) That this 10<sup>th</sup> Addition to the Orlean/Hume Agricultural and Forestal District be, and is hereby, added this 16<sup>th</sup> day of June 2003, in accordance with the provisions of Title 15.2, Chapter 43, Section 15.2-4310, Code of Virginia (1950), as amended, and for a period of eight years.

- 3) That the 10<sup>th</sup> Addition shall consist of the following parcel(s):

Andrew and Elizabeth Stone      6926-08-7582-000      28.14 acres; and, be it

ORDAINED FURTHER, That the same conditions and restrictions shall apply, to wit:

- 4) That pursuant to Title 15.2, Chapter 43, Section 15.2-4312, (b) of the Code of Virginia (1950), as amended, the Fauquier County Zoning Ordinance shall apply, except as modified below. The modifications are necessary to assure that the Ordinance does not conflict with the purpose for which the District was established.
- a) All uses allowed by right in the applicable zoning district(s) for each parcel shall require a special exception permit, except that farming and single-family dwellings on a legally recorded parcel of record shall be permitted by-right.
  - b) Subdivision of land as defined in Article 2-39 of the Fauquier County Subdivision Ordinance is not permitted.
  - c) No special exception shall be in conflict with the purposes for which the District was created.
- 5) That these parcels qualify for land use value assessment provided that the parcels meet the criteria set forth in Article 4 of Section 58.1-3229 et seq. of Chapter 32 of Title 58.1 of the Code.
- 6) That the owners of land within the District shall not terminate the District, except in accordance with Section 15.2-4314 of the Code.
- 7) That lawful termination of any owner's association in the District shall not serve to terminate the existence of the District, but the District shall continue in effect until the review required by Section 15.2-4314 of the Code.
- 8) That parcels under twenty-five (25) acres shall be excluded except where exempted by the Board.
- 9) That if the parcel is subdivided or boundary adjusted, any newly created parcel below 25 acres shall be removed from the District.
- 10) That the District will expire on January 20, 2005.

; and

## ORDINANCE

### AN ORDINANCE TO APPROVE THE 10<sup>TH</sup> ADDITION TO THE ORLEAN/HUME AGRICULTURAL AND FORESTAL DISTRICT WITHIN FAUQUIER COUNTY

WHEREAS, Section 15.2-4310, Code of Virginia (1950), as amended, allows additional parcels of land to be added to an existing district following the process described for the creation of a new district; and

WHEREAS, all requirements of Section 15.2-4310, Code of Virginia (1950), as amended, have been met; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 16<sup>th</sup> day of June 2003, that the 10<sup>th</sup> Addition to the Orlean/Hume Agricultural and Forestal District be, and is hereby, adopted as follows:

- 1) That this addition is land which requires conservation and protection for the production of food and other agricultural and forestal products and as such is a valuable natural and ecological resource providing open space and clean air and adequate safe water supplies and other aesthetic purposes and is, therefore, valuable to public interest.
- 2) That this 10<sup>th</sup> Addition to the Orlean/Hume Agricultural and Forestal District is hereby added this 16<sup>th</sup> day of June 2003, in accordance with the provisions of Title 15.2, Chapter 43, Section 15.2-4310, Code of Virginia (1950), as amended, and for a period of eight years.
- 3) That the 10<sup>th</sup> Addition shall consist of the following parcel(s):

Ernest Robinson, Heirs    6936-71-2039-000                      39.41 acres; and, be it

ORDAINED FURTHER, That the same conditions and restrictions shall apply, to wit:

- 4) That pursuant to Title 15.2, Chapter 43, Section 15.2-4312, (b) of the Code of Virginia (1950), as amended, the Fauquier County Zoning Ordinance shall apply, except as modified below. The modifications are necessary to assure that the Ordinance does not conflict with the purpose for which the District was established.
  - a) All uses allowed by right in the applicable zoning district(s) for each parcel shall require a special exception permit, except that farming and single-family dwellings on a legally recorded parcel of record shall be permitted by-right.
  - b) Subdivision of land as defined in Article 2-39 of the Fauquier County Subdivision Ordinance is not permitted.

- c) No special exception shall be in conflict with the purposes for which the District was created.
  - 5) That these parcels qualify for land use value assessment provided that the parcels meet the criteria set forth in Article 4 of Section 58.1-3229 et seq. of Chapter 32 of Title 58.1 of the Code.
  - 6) That the owners of land within the District shall not terminate the District, except in accordance with Section 15.2-4314 of the Code.
  - 7) That lawful termination of any owner's association in the District shall not serve to terminate the existence of the District, but the District shall continue in effect until the review required by Section 15.2-4314 of the Code.
  - 8) That parcels under twenty-five (25) acres shall be excluded, except where exempted by the Board.
  - 9) That if the parcel is subdivided or boundary adjusted, any newly created parcel below 25 acres shall be removed from the District.
  - 10) That the District will expire on January 20, 2005.
- ; and

## ORDINANCE

### AN ORDINANCE TO APPROVE THE 10<sup>TH</sup> ADDITION TO THE ORLEAN/HUME AGRICULTURAL AND FORESTAL DISTRICT WITHIN FAUQUIER COUNTY

WHEREAS, Section 15.2-4310, Code of Virginia (1950), as amended, allows additional parcels of land to be added to an existing district following the process described for the creation of a new district; and

WHEREAS, all requirements of Section 15.2-4310, Code of Virginia (1950), as amended, have been met; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 16<sup>th</sup> day of June 2003, that the 10<sup>th</sup> Addition to the Orlean/Hume Agricultural and Forestal District be, and is hereby, adopted as follows:

- 1) That this addition is land which requires conservation and protection for the production of food and other agricultural and forestal products and as such is a valuable natural and ecological resource providing open space and clean air and adequate safe water supplies and other aesthetic purposes and is, therefore, valuable to public interest.

2) That this 10<sup>th</sup> Addition to the Orlean/Hume Agricultural and Forestal District be, and is hereby, added this 16<sup>th</sup> day of June 2003, in accordance with the provisions of Title 15.2, Chapter 43, Section 15.2-4310, Code of Virginia (1950), as amended, and for a period of eight years.

3) That the 10<sup>th</sup> Addition shall consist of the following parcel(s):

Julian E. Kulski                      6947-00-3333-000                      17.139 acres; and, be it

ORDAINED FURTHER, That the same conditions and restrictions shall apply, to wit:

4) That pursuant to Title 15.2, Chapter 43, Section 15.2-4312, (b) of the Code of Virginia (1950), as amended, the Fauquier County Zoning Ordinance shall apply, except as modified below. The modifications are necessary to assure that the Ordinance does not conflict with the purpose for which the District was established.

a) All uses allowed by right in the applicable zoning district(s) for each parcel shall require a special exception permit, except that farming and single-family dwellings on a legally recorded parcel of record shall be permitted by-right.

b) Subdivision of land as defined in Article 2-39 of the Fauquier County Subdivision Ordinance is not permitted.

c) No special exception shall be in conflict with the purposes for which the District was created.

5) That these parcels qualify for land use value assessment provided that the parcels meet the criteria set forth in Article 4 of Section 58.1-3229 et seq. of Chapter 32 of Title 58.1 of the Code.

6) That the owners of land within the District shall not terminate the District, except in accordance with Section 15.2-4314 of the Code.

7) That lawful termination of any owner's association in the District shall not serve to terminate the existence of the District, but the District shall continue in effect until the review required by Section 15.2-4314 of the Code.

8) That parcels under twenty-five (25) acres shall be excluded, except where exempted by the Board.

9) That if any portion of the parcel is subdivided, boundary adjusted or sold, then the parcel shall be removed from the District.

10) That the District will expire on January 20, 2005.

**AGRICULTURAL AND FORESTAL DISTRICT - 20TH ADDITION TO SOUTHERN FAUQUIER**

A public hearing was held to consider the 20<sup>th</sup> addition to the Southern Fauquier Agricultural and Forestal District for Charles A. and June T. Padgett to add 22.47 acres, located off of Bristersburg Road; and, Third Renewal of the Upperville Agriculture and Forestal District; and, Third Renewal of the Springs Valley Agriculture and Forestal District. Rick Carr, Director of Community Development, summarized the applications. No one spoke. The public hearing was closed. Mr. Graham moved to adopt the following Ordinance. Ms. McCamy seconded, and the vote for the motion was 4 to 0 as follows:

**Ayes:** *Mr. Harry F. Atherton; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks*  
**Nays:** *None*  
**Absent During Vote:** *Mr. Joe Winkelmann*  
**Abstention:** *None*

**ORDINANCE**

**AN ORDINANCE TO APPROVE THE 20<sup>TH</sup> ADDITION TO THE  
SOUTHERN FAUQUIER AGRICULTURAL AND FORESTAL DISTRICT  
WITHIN FAUQUIER COUNTY**

WHEREAS, Section 15.2-4310, Code of Virginia (1950), as amended, allows additional parcels of land to be added to an existing district following the process described for the creation of a new district; and

WHEREAS, all requirements of Section 15.2-4310, Code of Virginia (1950), as amended, have been met; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 16<sup>th</sup> day of June 2003, that the 20<sup>th</sup> Addition to the Southern Fauquier Agricultural and Forestal District be, and is hereby, adopted as follows:

- 1) That this addition is land which requires conservation and protection for the production of food and other agricultural and forestal products and as such is a valuable natural and ecological resource providing open space and clean air and adequate safe water supplies and other aesthetic purposes and is, therefore, valuable to public interest.
- 2) That this 20<sup>th</sup> Addition to the Southern Fauquier Agricultural and Forestal District is hereby added this 16<sup>th</sup> day of June 2003, in accordance with the provisions of Title 15.2, Chapter 43, Section 15.2-4310, Code of Virginia (1950), as amended, and for a period of eight years.
- 3) That the 20<sup>th</sup> Addition shall consist of the following parcel(s):

Charles A. and June Padgett, Jr.	7837-58-7123-000	10 acres
----------------------------------	------------------	----------



ORDAINED FURTHER, That the same conditions and restrictions shall apply, to wit:

- 4) That pursuant to Title 15.2, Chapter 43, Section 15.2-4312, (b) of the Code of Virginia (1950), as amended, the Fauquier County Zoning Ordinance shall apply, except as modified below. The modifications are necessary to assure that the Ordinance does not conflict with the purpose for which the District was established.
  - a) All uses allowed by right in the applicable zoning district(s) for each parcel shall require a special exception permit except that farming and single-family dwellings on a legally recorded parcel of record shall be permitted by-right.
  - b) Subdivision of land as defined in Article 2-39 of the Fauquier County Subdivision Ordinance is not permitted.
  - c) No special exception shall be in conflict with the purposes for which the District was created.
- 5) That these parcels qualify for land use value assessment provided that the parcels meet the criteria set forth in Article 4 of Section 58.1-3229 et seq. of Chapter 32 of Title 58.1 of the Code.
- 6) That the owners of land within the District shall not terminate the District, except in accordance with Section 15.2-4314 of the Code.
- 7) That lawful termination of any owner's association in the District shall not serve to terminate the existence of the District, but the District shall continue in effect until the review required by Section 15.2-4314 of the Code.
- 8) That parcels under twenty-five (25) acres shall be excluded, except where exempted by the Board.
- 9) That if either of the parcels is subdivided, boundary adjusted, or sold, then the parcels shall be removed from the District.
- 10) That the District will expire on February 16, 2006.

Mr. Atherton then moved to continue the public hearing on the Third Renewal of the Upperville Agriculture and Forestal District, and the Third Renewal of the Springs Valley Agriculture and Forestal District until the next regular meeting on July 21, 2003. Ms. McCamy seconded, and the vote for the motion was 4 to 0 as follows:

**Ayes:** *Mr. Harry F. Atherton; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks*  
**Nays:** *None*  
**Absent During Vote:** *Mr. Joe Winkelmann*  
**Abstention:** *None*

### **PROPOSED ZONING ORDINANCE TEXT AMENDMENTS**

A public hearing was held to consider a Zoning Ordinance text amendment to add Section 3-309.19 (Paintball Recreation Fields) and Section 5-919 (Additional Standards for Paintball Recreation Fields). Rick Carr, Director of Community Development, summarized the proposed amendment. Kevin Winn; Cathy Gregorson, Center District; Greg Miller, Cedar Run District; and, Mike Gregorson, Center District; spoke in favor of the amendment. No one else spoke. The public hearing was closed. Mr. Graham moved to adopt the following Ordinance. Ms. McCamy seconded, and the vote for the motion was 4 to 0 as follows:

**Ayes:** *Mr. Harry F. Atherton; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks*  
**Nays:** *None*  
**Absent During Vote:** *Mr. Joe Winkelmann*  
**Abstention:** *None*

### **ORDINANCE**

#### **AN ORDINANCE APPROVING TEXT AMENDMENTS TO THE FAUQUIER COUNTY ZONING ORDINANCE ADDING SECTION 3-309 (OUTDOOR RECREATION) TO ALLOW PAINTBALL RECREATIONAL FIELDS AND ADD SECTION 5-919 (ADDITIONAL STANDARDS FOR PAINTBALL RECREATION FIELDS)**

WHEREAS, the Fauquier County Zoning Ordinance currently does not allow the location of paintball recreation fields; and

WHEREAS, these amendments would permit the use in the Rural Agriculture Zoning District following special exception and site plan approvals; and

WHEREAS, the amendments would provide additional standards to protect adjacent properties; and

WHEREAS, the use would also be subject to site plan approval; and

WHEREAS, on January 23, 2003, the Fauquier County Planning Commission held a public hearing; and

WHEREAS, on April 24, 2003, the Planning Commission held several work sessions and voted to forward the refined text amendments with a recommendation for approval; and

WHEREAS, on June 16, 2003, the Fauquier County Board of Supervisors held a public hearing; and

WHEREAS, the adoption of this text amendment would be in keeping with the spirit of the Zoning Ordinance and in the best interest of the citizens of Fauquier County; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 16th day of June 2003, That Section 3-309 of the Fauquier County Zoning Ordinance be, and is hereby, amended to allow paintball recreation fields as a special permit use and Section 5-919 would be added to provide additional standards for paintball recreation fields. The Zoning Ordinance would be amended to read as follows:

3-309                    OUTDOOR RECREATION (CATEGORY 9)

Site Plan

RA

19.     Paintball Recreation Fields                    X                    SE

5-919                    Minimum standards for paintball recreation fields

1. The minimum lot size requirement shall be 24 acres.
2. No structure shall be closer than 100 feet to any lot line.
3. No area where paintballs are discharged shall be located within 300' of any lot line or 500' from any adjoining residential property, provided that a lesser setback may be permitted by the Board of Supervisors upon a determination that the lesser setback in combination with other elements of the site design provides adequate protection to adjoining properties and rights-of-ways.
4. A 20' high nylon mesh screen shall be installed around all play areas and shall be removed when the play area is not being utilized, at the end of each day. The height of the screen may be lowered to no less than 10' by the Board of Supervisors upon a determination that the lower screen in combination with other elements of the site design provides adequate protection from discharged paintballs.
5. All parking and spectator areas, structures and play areas shall be effectively screened.
6. Any retail sales conducted on the property shall be accessory and incidental to the permitted activity and conducted only for the participants of the site.
7. A plan of operations specifying days and hours of operation, number of participants and employees, types of equipment to be utilized by users of the site, safety procedures, type

of compressed air fuel to be utilized on the site and storage and maintenance procedures for the compressed air fuel shall be provided for review in conjunction with the special exception application. All Safety procedures shall be reviewed and approved by Emergency Services. All activities shall be in compliance with National Paintball League standards.

8. The hours of operation shall be limited to 8:30 A.M. to 8:30 P.M, and further restricted as applicable to daylight hours.
9. No lights or amplified sounds shall be permitted.
10. The facility shall have direct access to a road designated as a major collector (or higher) in the Comprehensive Plan unless the Board of Supervisors finds that the type and amount of traffic generated by the facility is such that it will not cause an undue impact on the neighbors or adversely affect safety of road usage.
11. The facility shall be secured at the close of business each day.
12. The applicant shall include the proposed number of persons to be on the site in the application information.
13. All equipment and objects utilized in the paintball activities shall be removed from the site within 90 days of the discontinuance of the paintball use.

**CONSIDER SPECIAL EXCEPTION #SE03-S-26 – FAUQUIER COUNTY, OWNER / APPLICANT – NORTHERN FAUQUIER COUNTY SPORTS COMPLEX**

A public hearing was held to consider an application to obtain special exception approval under Category 20, which would allow for the construction and operation of an above-ground water storage tank and sanitary sewer pump station, and for a determination by the County as to whether the location of the proposed water storage tank is in accordance with Section 15-2232 of the Code of Virginia. The property is located at the northeast corner of John Marshall Highway (Route 55) and Whiting Road (Route 622), further identified as PIN # 6070-40-3474-000, Scott District. No one spoke. The public hearing was closed. Mr. Atherton moved to postpone the public hearing, pending the receipt of additional site plan information, to a future date to be determined. Mr. Weeks seconded, and the vote for the motion was 4 to 0 as follows:

<b><i>Ayes:</i></b>	<b><i>Mr. Harry F. Atherton; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks</i></b>
<b><i>Nays:</i></b>	<b><i>None</i></b>
<b><i>Absent During Vote:</i></b>	<b><i>Mr. Joe Winkelmann</i></b>
<b><i>Abstention:</i></b>	<b><i>None</i></b>

There being no further business, the meeting was adjourned.

*I hereby certify that this true and exact record of actions taken by the Fauquier County Board of Supervisors on June 16, 2003.*

*A Copy Teste*

*G. Robert Lee  
Clerk*